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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/994,831	12/19/1997	ILEANA A. LEUCA	CASE13-8	7103

7590 05/08/2002
BROWDY AND NEIMARK
624 NINTH STREET, N.W.
WASHINGTON, DC 20001

EXAMINER

TRAN, MAIKHANH

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/994,831

Applicant(s)

LEUCA ET AL. *W*

Examiner

MAIKHANH T. TRAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 14 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-8 and 13-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-8 and 13-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Applicants' response filed on 12/14/2001 has been fully considered and made of record. By this amendment, claims 9-12 have been cancelled. Claims 2-8 and 13-31 are now pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 2, 6-8, 13-18, 20, 22, 26-28 and 29-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Voit (U.S. 6,075,783).

- As to claims 2, 6, 22 and 26, Voit, in figs. 2-4, 6-7 and the description associated with the figures, discloses a system and a method for managing the routing of information from a source (PC 101) to a destination through a plurality of networks, wherein at least one of the networks is a packet network (120) and wherein each network is linked to at least one other network by a communication medium, said system comprising:

a routing processor (Domain Name Server 130) for receiving a query signal from said source, said signal specifying said destination (telephone number) to which said information will be routed; and

a memory (database in the intelligent system 121) for storing at least one characteristic of said source; said memory storing at least one characteristic of said destination;

wherein said processor determines a route for the transmission of said information based on said query signal and on said characteristics stored in said memory, wherein a characteristic of said destination includes information relating to the equipment at said destination/the service to which the destination subscribes (i.e. wireless or wireline communications service, see fig. 7 and col. 10, lines 33-48).

- As to claims 7-8 and 27-28, in Voit, said information includes digitized voice information and said signal is a DTMF signal.

- As to claims 13-15, these claims are rejected with the same reasons as set forth in claims 2 and 6.

- As to claims 16 –18, 20, the transmission path in Voit comprising network element of at least one network (PSTN or PCS) in addition to said packet network.
- As to claims 29-31, the teaching in Voit encompasses the claimed limitations.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-5, 19, 21 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit (U.S. 6,075,783).

- As to claims 3-4, 19, 21 and 23-24, Voit discloses a system and a method as discussed in claims 2 and 6 above. In Voit, the source (101) subscribes to a fixed service network (110) and the destination (180) subscribes to a fixed service network (150). However, Voit fails to suggest that the fixed service network (110 and 150) is a wireless service network. In common practice, in order to avoid wire problems and to provide routing services to mobile devices such as laptops, a fixed wireless service network can be utilized to replace the fixed service network (110 and 150) in Voit. Therefore it would have been obvious to ones skilled in the art at the time the invention

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was made to replace the network service (110 and 150) via a fixed wireless network service to enhance the teaching in Voit.

- As to claims 5 and 25, the destination (170) in Voit subscribes to a PSTN service network (140, 155).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MAIKHANH T. TRAN whose telephone number is 703-308-7911. The examiner can normally be reached on MON-FRI 8:30AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WELLINGTON CHIN can be reached on 703-305-4366. The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9314 for regular and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Maikhanh Tran

May 5, 2002


Ajit Patel
Primary Examiner